

## REMARKS

Favorable reconsideration of this application is requested in view of the following remarks. Claims 1-7 pending in the present application. For the reasons stated below Applicants' respectfully maintain that the claims as amended are allowable over the cited references.

### OBJECTION TO ABSTRACT

In paragraph 2 of the Office Action, the Examiner object to the length and format of the Abstract as originally filed. In response, a new Abstract is hereby submitted. Withdrawal of the Objection is respectfully requested.

### DOUBLE PATENTING REJECTIONS

In paragraph 7 of the Office Action, Claims 1-7 were rejected under a non-statutory double patenting doctrine of obviousness-type double patenting over claims 1-17 of U.S. Patent No. 6,154,708. In response, the Applicant has amended independent claim 1 above. From the invention of a cited reference, the Examiner asserts that it is obvious to estimate parameter values of each component band by a method of spectrum analysis in which a number of component bands are overlapped. However, the present inventions as recited within the claims as amended uses estimated parameter values in each component band are approximate values. For example, as shown in Figs. 15 and 16 of the specification, actually measured spectrum OV3 and the total sum of estimated component bands eOV3 are not coincident. However, the invention of a cited reference does not disclose a method of optimizing band parameter values in each component band and making these parameter values adjacent to true values as much as possible. Further, since it is not clear as to which component band has good estimate on band parameter values, when band parameters to be optimized are wrongly selected, it may happen that each component band is not correctly estimated even through the total sum of a component band coincides with actually measured spectrum.

In comparison to the prior art of record, the present invention optimizes the band parameter values of specific estimated component bands so that the specific estimated component bands represented by using estimated band parameter values and complementary

estimated component bands obtained by subtracting all the other component bands except only one component band between estimated component bands from the measured spectrum coincide each other.

In other words, the present invention optimizes the band parameter values in each component band by judging band parameter values in the component band to be optimized from the degree of coincidence between each estimated component band and complementary estimated component band (please see the specification; page 39, line 14 to page 41, line 14). By this, (coincidence between each component band and true value is provided and) band parameter values with high reliability are obtained. Therefore, the Applicant respectfully maintains that the present invention as recited within the amended claims is non-obvious over cited reference.

### CONCLUSION

In view of the above arguments, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the rejections are kindly requested. Allowance of all pending claims is respectfully submitted.

Respectfully Submitted,

KOASHI.

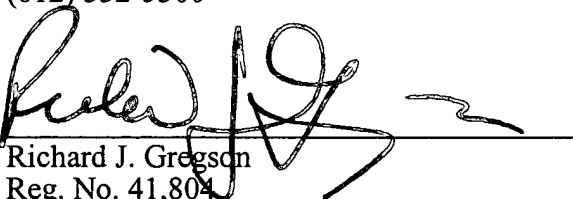
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